



M E M O R A N D U M

TO: Parks Board Members

FROM: Warren W. Struss, Director
Parks and Recreation Department

DATE: December 14, 2006

SUBJECT: Standards of Care for Youth Programs

The Parks and Recreation Department is recommending the following changes to the Standards of Care for Youth Programs Ordinance.

ORDINANCE NO. 20060202-027

AN ORDINANCE ADOPTING LOCAL STANDARDS OF CARE FOR THE CITY PARKS AND RECREATION DEPARTMENT'S CHILDREN'S RECREATION PROGRAMS.

PART 6. REQUIRED SUPERVISION FOR AQUATIC RECREATIONAL PROGRAMS.

- (A) Except as provided in Subsection (C), the department shall provide activity leaders during a recreational program that includes swimming in a swimming pool at a minimum as follows:

(3) one activity leader for each twelve children between the ages of eight and twelve years old.

CHANGE TO:

(3) one activity leader for each twelve children eight years and older.

- (B) Except as provided in Subsection (C), the department shall provide activity leaders during a recreational program that includes swimming in a wading pool at a minimum as follows:

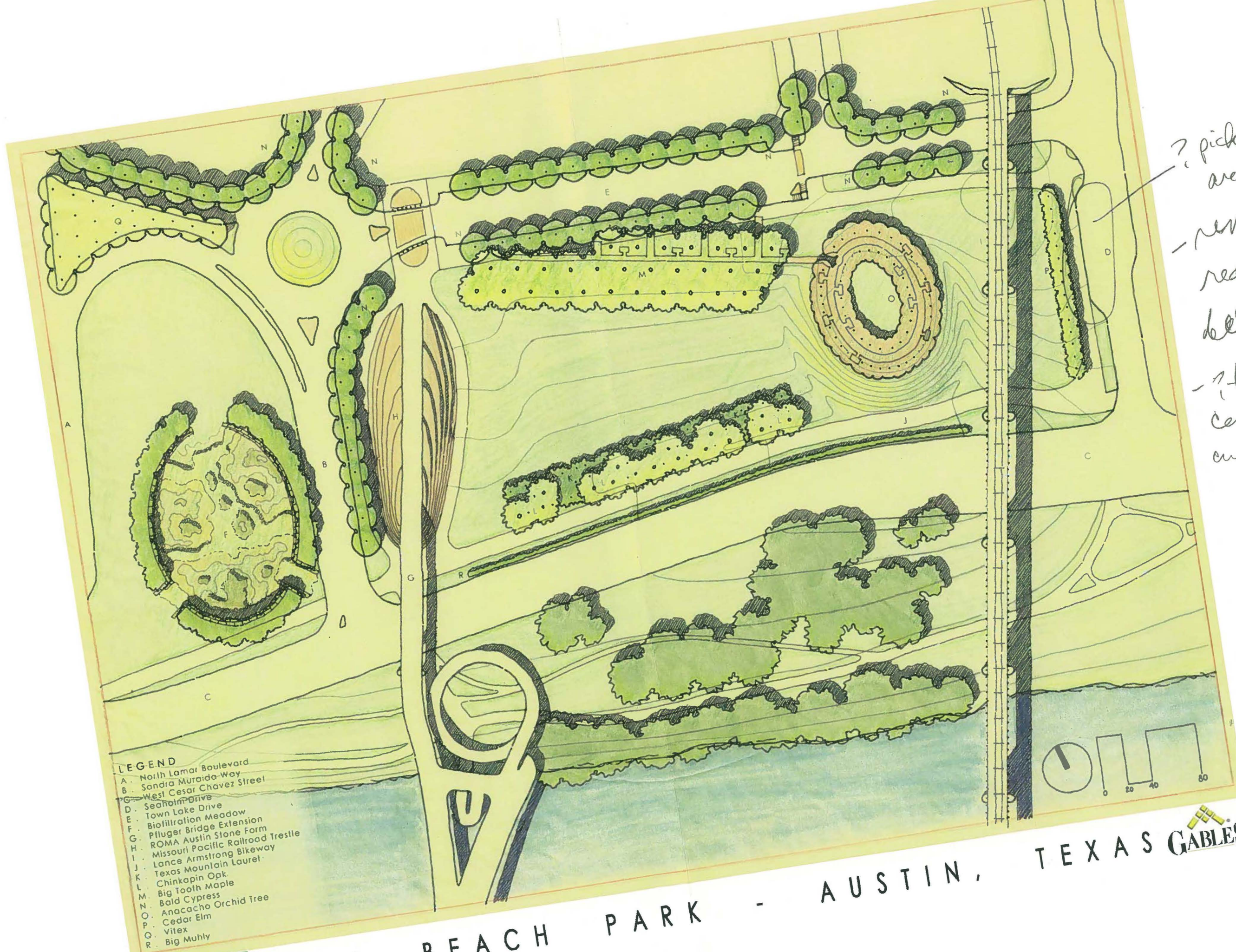
(2) one activity leader for each five children three years old; and

CHANGE TO:

(2) one activity leader for each five children between the ages of three and five years old;
and

(3) one activity leader for each twelve children four years old or older.

CHANGE TO: (3) one activity leader for each twelve children six years and older.



LEGEND

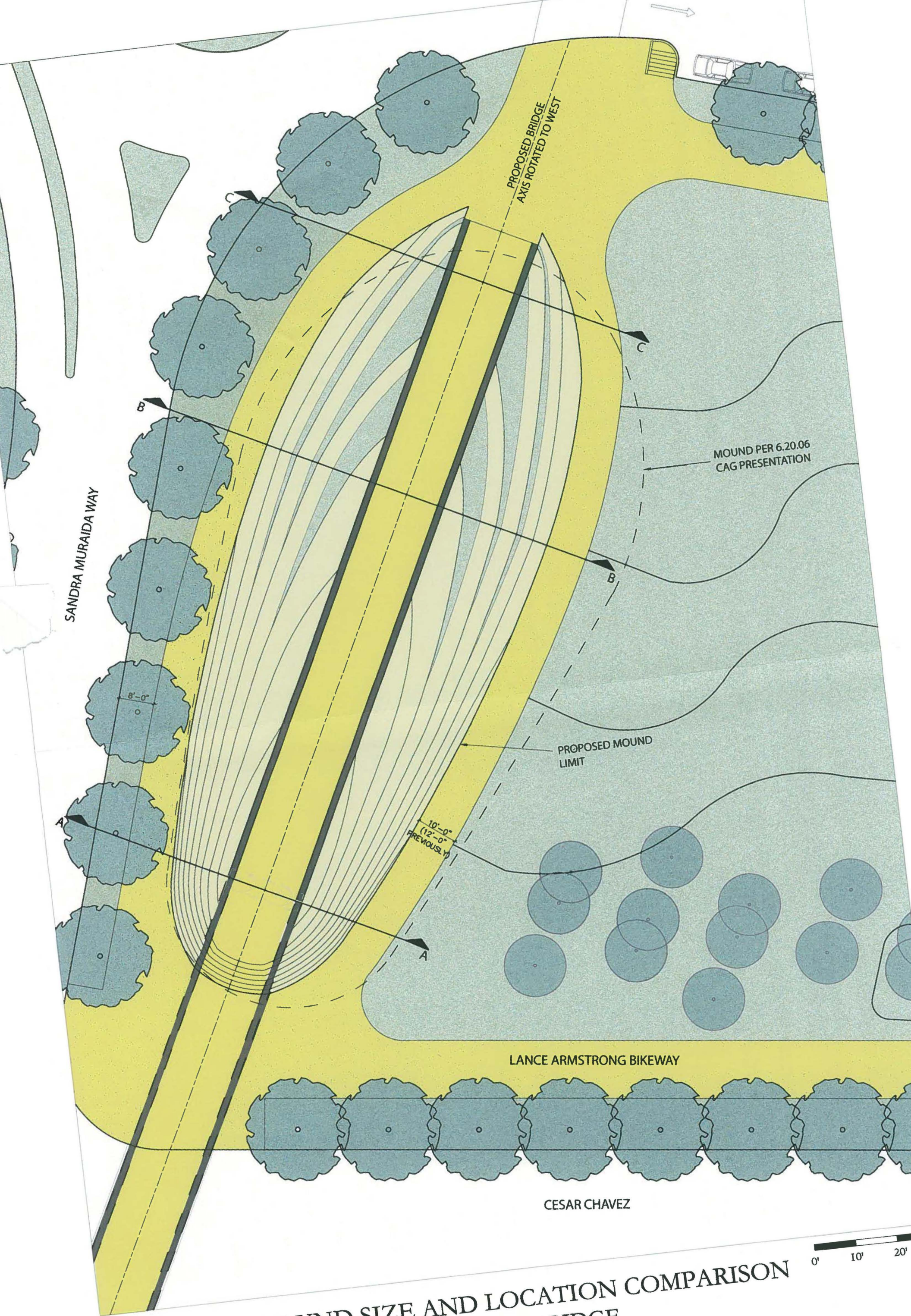
- A. North Lamar Boulevard
- B. Sandra Murado-Way
- C. West Cesar Chavez Street
- D. Seaholm Drive
- E. Town Lake Drive
- F. Biofiltration Meadow
- G. Pflugger Bridge Extension
- H. ROMA Austin Stone Form
- I. Missouri Pacific Railroad Trestle
- J. Lance Armstrong Bikeway
- K. Texas Mountain Laurel
- L. Chinkapin Oak
- M. Big Tooth Maple
- N. Bald Cypress
- O. Anacacho Orchid Tree
- P. Cedar Elm
- Q. Vitex
- R. Big Muhly

? pick up area
- remove/
reduce
bed area
- ? trees between
Cesar Chavez
curb & lane

SAND BEACH PARK

AUSTIN,

TEXAS GABLES



MOUND SIZE AND LOCATION COMPARISON PFLUGER BRIDGE

DECEMBER 2006

Note: Lines on mound represent 24" rock levels, not contour lines.

- (D) The department may not conduct a recreational program at a swimming pool or wading pool outside a City park unless the pool is supervised by one certified lifeguard for each thirty swimmers.

CHANGE TO:

- (D) The department may not conduct a recreational program at a swimming pool or wading pool outside a City park unless the use of the pool has been approved by the director.

PART 7. REQUIREMENTS FOR ACTIVITY LEADERS

- (C) An activity leader must obtain the following certification from a nationally recognized organization:

- (1) community water safety, if supervising a recreational program that includes swimming;

CHANGE TO:

- (1) basic water rescue or equivalent, if supervising a recreational program that includes swimming;

- (3) community first aid.

CHANGE TO:

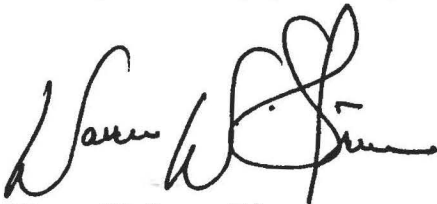
- (3) first aid.

PART 12. MEDICATION STANDARDS

ADD:

- (C) A staff member may administer an epinephrine auto -- injector device if he or she has completed training approved by the department.

Should you have any questions, please let me know.

A handwritten signature in black ink, appearing to read "Warren W. Struss". The signature is fluid and cursive, with a large initial "W" and "S".

Warren W. Struss, Director
Parks and Recreation Department

ORDINANCE NO.

AN ORDINANCE ADOPTING LOCAL STANDARDS OF CARE FOR THE CITY PARKS AND RECREATION DEPARTMENT'S CHILDREN'S RECREATION PROGRAMS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. AUTHORITY.

The Council adopts these local standards of care for the Parks and Recreation Department children's recreational programs under Texas Human Resources Code Section 42.041(b)(14) (*Required License and Accreditation*) and its home rule authority.

PART 2. DEFINITIONS.

In this ordinance:

- (1) **ACTIVITY LEADER** means a person responsible for the direct care or supervision of participants. The term excludes a person whose primary duties include administration, clerical support, food preparation, or facility maintenance.
- (2) **DEPARTMENT** means the Parks and Recreation Department.
- (3) **DIRECTOR** means the director of the Parks and Recreation Department.
- (4) **FACILITY** means a building or improvement operated or used by the department in conducting a recreational program.
- (5) **PARTICIPANT** means a child under the age of 18 who is enrolled in a recreational program.
- (6) **RECREATIONAL PROGRAM** means a children's program or activity offered and supervised by the department that requires a child to enroll or register to participate.
- (7) **STAFF** means a person who is employed by the department to work in a recreational program.
- (8) **VOLUNTEER** means a person assisting without remuneration in the care or supervision of participants.

1 **PART 3. PROGRAM ADMINISTRATION.**

2 (A) The department shall operate recreational programs in compliance with this
3 ordinance and the department's rules adopted under this ordinance.

4 (B) The director shall administer the programs.

5 **PART 4. PROGRAM RULES; MONITORING.**

6 (A) The director shall adopt rules relating to the operation of the programs. A rule
7 adopted under this ordinance may be more restrictive than the minimum
8 standards adopted by this ordinance.

9 (B) The director shall monitor the programs to ensure compliance with the
10 standards adopted in this ordinance and the rules.

11 **PART 5. REQUIRED SUPERVISION FOR NON-AQUATIC RECREATIONAL**
12 **PROGRAMS.**

13 (A) Except as provided in Subsection (B) and Part 6 (*Required Supervision for*
14 *Aquatic Recreational Programs*), the department shall provide activity leaders
15 during a recreational program at a minimum as follows:

- 16 (1) one activity leader for each eight children five years old or younger;
17 (2) one activity leader for each 10 children between the ages of six and nine
18 years old; and
19 (3) one activity leader for each 12 children between the ages of 10 and 15
20 years old.

21 (B) The department shall provide activity leaders during a recreational program for
22 children with a disability at a minimum as follows:

- 23 (1) one activity leader for each four children 12 years old or younger; and
24 (2) one activity leader for each eight children between the ages of 13 and 18
25 years old.

26 **PART 6. REQUIRED SUPERVISION FOR AQUATIC RECREATIONAL**
27 **PROGRAMS.**

28 (A) Except as provided in Subsection (C), the department shall provide activity
29 leaders during a recreational program that includes swimming in a swimming
30 pool at a minimum as follows:

(1) one activity leader for each two children four years old or younger;

(2) one activity leader for each eight children between the ages of five and seven years old; and

(3) one activity leader for each 12 children eight years old or older.

(B) Except as provided in Subsection (C), the department shall provide activity leaders during a recreational program that includes swimming in a wading pool at a minimum as follows:

(1) one activity leader for each two children two years old or younger;

(2) one activity leader for each five children between the ages of three and five years old; and

(3) one activity leader for each 12 children six years old or older.

(C) The department shall provide activity leaders during a recreational program for children with a disability that includes recreational swimming in a swimming pool or a wading pool at a minimum as follows:

(1) one activity leader for each child four years old or younger; and

(2) one activity leader for each eight children five years old or older.

(D) The department may not conduct a recreational program at a swimming pool or wading pool outside a City park unless the use of the pool has been approved by the director.

PART 7. REQUIREMENTS FOR ACTIVITY LEADERS.

(A) The department shall provide a minimum of one activity leader for each class or group enrolled in a recreational program.

(B) An activity leader must be at least:

(1) 18 years old; or

(2) 15 years old if supervised by another activity leader who is at least 18 years old.

(C) An activity leader must obtain the following certification from a nationally recognized organization:

- (1) basic water rescue, or equivalent, if supervising a recreational program that includes swimming;
- (2) cardiac pulmonary resuscitation or equivalent; and
- (3) first aid.

PART 8. STAFF AND VOLUNTEER TRAINING REQUIREMENTS.

- (A) The director shall establish training requirements for all staff and volunteers who provide direct care or supervision to participants.
- (B) At least one staff member at each facility must have current training in cardio pulmonary resuscitation for children.
- (C) Each staff member who supervises children in swimming or other water activities in more than two feet of water must be able to swim and shall be trained in water safety. A person who is not counted in the minimum staff-to-participant ratio is not required to meet these requirements.

PART 9. PERSONNEL RESTRICTION.

- (A) A person may not be employed or serve as a volunteer in a recreational program if:
 - (1) the person would be permanently barred from being present at a child care operation while children are in care under the Texas Administrative Code Title 40, Part 19, Chapter 745 (*Licensing*); or
 - (2) the director determines that, based on the criminal history and other relevant and credible information, the person poses a risk to the safety or health of participants.
- (B) The director may obtain a criminal history record of any employee or volunteer working or applying to work in a recreational program.

PART 10. FACILITY OPERATION; PHYSICAL ENVIRONMENT.

- (A) The department may not operate a recreational program at a facility unless the facility meets the following requirements:
 - (1) The facility and equipment used in the program do not present fire, health, or safety hazards and are kept free of refuse and debris.
 - (2) The facility is inspected annually for safety by the department.

- (3) The facility is kept free of insects, rodents, and stray animals.
- (4) The facility has clearly marked emergency exits.
- (5) The facility has a disaster and evacuation procedure posted in a visible location.
- (6) The facility is used and maintained in accordance with the fire prevention requirements of Chapter 25-12 (*Technical Codes*) and the fire chief's directives, including not fewer than four fire drills each year.
- (7) First aid and infection control kit are kept at the facility, including sufficient additional kits to be taken to other locations at which participants engage in a program activity.
- (8) First aid guidelines are on file and visibly posted at the facility, including:
 - (a) cardio pulmonary resuscitation and rescue breathing sequence guidelines;
 - (b) first aid review; and
 - (c) medical emergency procedures.
- (9) The facility has a sufficient number of restrooms that are equipped for independent use by children and that are designed to permit staff supervision if necessary.

(B) The department shall maintain a campground or primitive facility used for a recreation program in compliance with the requirements of Subsection (A) to the extent possible.

(C) The department shall maintain equipment used in the programs in good condition. Department staff shall remove a defective tool, machinery, appliance, or other equipment and report the defective item to a supervisor. Unauthorized staff may not repair defective equipment.

PART 11. PHYSICAL HEALTH STANDARDS.

- (A) A staff member shall supervise a child who is ill or injured until a parent or other authorized adult removes the child from the facility.

- 1 (B) Staff shall keep a child whose illness or medical condition that would
2 compromise the health or safety of the other participants separate from the
3 other participants until the child is removed from the facility.
- 4 (C) Staff may not admit or readmit a child whose illness or medical condition
5 prevents the child from comfortably participating in program activities or
6 places other participants at risk to the facility for the duration of the illness or
7 condition.
- 8 (D) In the case of an acute illness or injury to a child, staff shall call for an
9 emergency vehicle to transport the child to an authorized medical facility.

10 **PART 12. MEDICATION STANDARDS.**

- 11 (A) A staff member may not administer medication to a participant without a
12 parental medication authorization. Staff may not administer medication that is
13 not in its original container or past the expiration date on the container.
- 14 (B) A staff member may not administer an injection or an amount of medication
15 that is inconsistent with the prescribed dosage.
- 16 (C) A staff member may administer an epinephrine auto-injector device if he or
17 she has completed training approved by the department.
- 18 (D) A staff member may not accept more than a one-week supply of medication
19 for a participant and the member shall return the unused medication to the
20 parent on the last program day of the week.
- 21 (E) Staff must keep medication in a secured location that is not accessible by
22 participants.
- 23 (F) A staff member shall maintain a medication log that includes the name of the
24 child to whom the medication is administered, the time the medication is
25 dispensed, and the name of the person dispensing the medication.

26 **PART 13. DISTRIBUTION OF STANDARDS.**

- 27 (A) The department shall post and make available copies of the standards adopted
28 in this ordinance or by rules adopted under this ordinance.
- 29 (B) The department shall inform the parents of each participant that the
30 recreational programs are not licensed by the state. The programs may not be
31 advertised as child-care facilities.
- 32

1 **PART 14. RECOMMENDATION FOR AMENDMENT OR RE-ADOPTION.**

2 Not later than February 1 of each year the director shall recommend to the Council
3 the amendment or re-adoption of the local standards adopted under this ordinance.

4 **PART 15. APPLICABILITY.**

5 This ordinance supersedes Chapter 8-2 (*Swimming Pool Use*) of the Code to the
6 extent of conflict.

7 **PART 16. EXPIRATION.**

8 This ordinance expires one year after its effective date.

9 **PART 17.** This ordinance takes effect on _____.

10
11 **PASSED AND APPROVED**

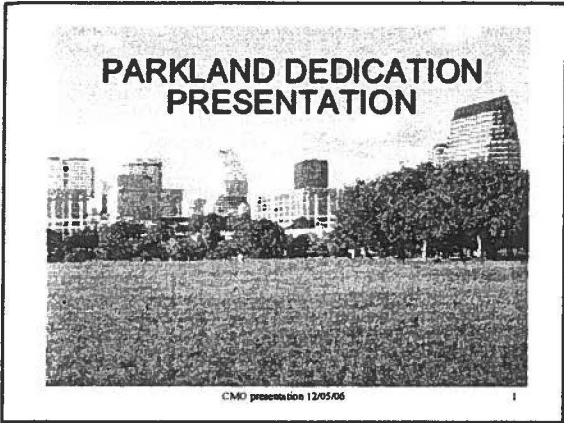
12
13 _____, 2007

§
§
§

Will Wynn
Mayor

14
15
16
17
18
19
20 **APPROVED:** _____
21 David Allan Smith
22 City Attorney

23 **ATTEST:** _____
24 Shirley A. Gentry
25 City Clerk



Legal Justification for Parkland Impact Fees

- In Texas and the nation, courts have ruled it is legal for municipalities to require residential developments to either dedicate land for park purposes or contribute to a special fund to be used for neighborhood parks
- The parkland or fee requirement is regarded as mitigation for the impact of the additional burden on the park system

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Parkland Dedication Applicability

- Ordinance adopted in 1985
- Land Development Code requires land or fees in Sub-division Ordinance. (Code Reference:25-4-212)
- Applicability:
 - Sub-dividing raw land, or re-platting
 - Residential land uses only: single family, multi-family including mixed use

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Parkland Formula

5 acres of parkland per
1,000 residents

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4

How does the ordinance work?

- There are four options
 1. Donating land
 2. Fees in lieu of land (most common)
 3. Combination of both
 4. Up to 1/2 credit for private park amenities

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Ordinance does not apply to:

- Commercial properties
- **Residential properties not sub-dividing**
- Vertical Mixed Use Projects
- Residential subdivisions with four single family lots or less

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6

Parkland fees can be used for

- Purchase of land
- For development of additional facilities on existing parks such as new playscapes, tennis courts, trails, etc...

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7

Fees can not be used for:

- Park maintenance
- Park operations
- Park programs
- Staffing
- Special events

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8

How Parkland Fees are Administered

- Parkland fee expenditures should benefit the new residents of the sub-division that paid the fees
- Preferably, Parkland Fees are spent within a one-mile radius of the residential development that paid the fee
- Exception: If no opportunities exist within the one-mile radius, the fees are spent on the nearest available opportunity

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9

2006 Fee Comparisons for Texas Cities: Single family residential development

• Corpus Christi	\$200 per unit
• Fort Worth	\$500 per unit
• Austin	\$518 per unit avg.
• Bryan	\$520 per unit
• College Station	\$556 per unit
• San Antonio	\$625 per unit
• Cedar Park	\$720 per unit
• Arlington	\$1,100 per unit
• El Paso	\$1,370 per unit

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10

Cities outside Texas

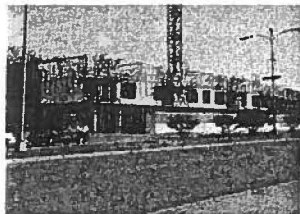
• Portland, OR	\$3,053/single family \$1,986 /multi-family
• Seattle, WA	\$1,050 to \$3,000 per unit
• San Diego, CA	\$843 to \$3,569 per unit

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11

Current Challenges

1. Under the current ordinance, a loop hole allows some residential developments to not pay fees or dedicate land



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12

Current Challenges

- Under the current ordinance, equity is an issue due to the high cost of inner city land versus land on the edge of the city

Project Name	# of Units	\$ Paid	Price / unit
Grand Oaks (suburb)	334	\$41,000	\$123
Riverside (near downtown)	100	\$462,000	\$4,600

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13



Staff Recommendations

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14

Staff Recommendations

- Continue to collect Land and Fees at the subdivision stage for single family developments and Land for multi-family development
- New proposal: Start requiring fees for multi-family developments at the site plan stage. This would address the developments that do not have to sub-divide but are adding density to neighborhoods without paying their fair share of parkland fees.

Development Process



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15

Staff Recommendations

3. Propose a simple fee of \$650 per unit.



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Staff Recommendations

5. Any development that meets the Affordable Housing goals, as determined by the Neighborhood Housing Department, can qualify for a 50% reduction of parkland fees. This would only apply to those affordable units within a development.
6. The parkland fees should be reviewed and updated as necessary with the annual budget process.

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Fee Comparison Chart of Recent Projects

<u>Project Name</u>	<u># of Units</u>	<u>\$ Paid</u>	<u>Price / unit</u>	<u>Proposed Fee</u>
Cypress Bay	19	\$8,000	\$421	\$12,350
Canyon Creek	17	\$11,000	\$647	\$11,050
Manchaca Courtyard	46	\$49,000	\$1,065	\$29,900
Sage at Parmer	225	\$191,000	\$848	\$146,250
Robinson Hill	58	\$197,000	\$3,396	\$37,700

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MEMORANDUM

To: Parks and Recreation Board

From: Warren W. Struss, Director
Parks and Recreation Department

Date: December 19, 2006

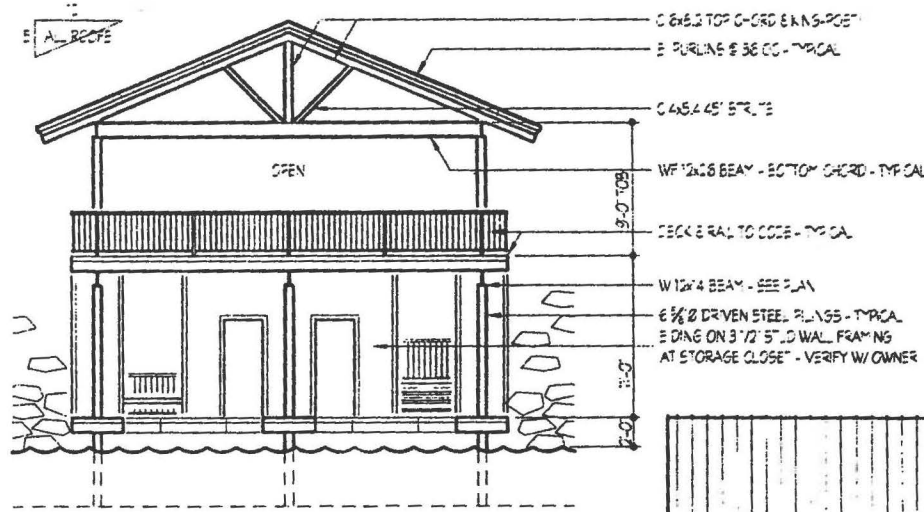
Subject: Two-slip boat dock and bulkheading at 62 Pascal.
Case Number SP-06-0666DS

A request has been received from Jeff Walker on behalf of David Knapp to construct a two-slip boat dock at 62 Pascal.

The Parks and Recreation Department staff has reviewed plans for the proposed dock and finds they meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code.

The proposed dock is located on a bluff and extends thirty feet from the existing shoreline. The Parks and Recreation Board shall make a recommendation on the distance that a proposed dock may extend into the lake without constituting a hazard.

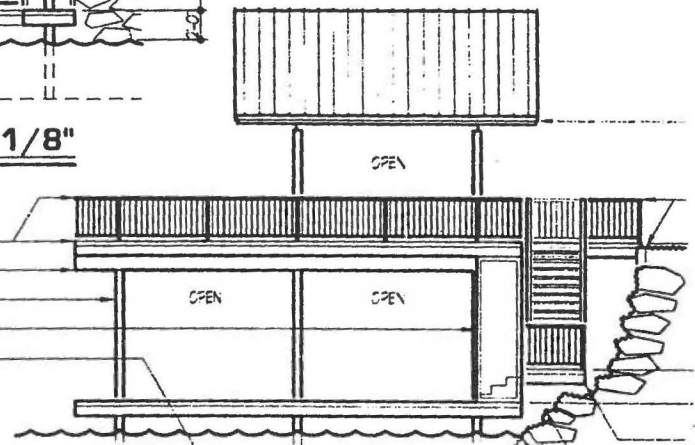
Warren W. Struss, Director
Parks and Recreation Department



EAST ELEVATION **1/8"**

DECK & RAIL TO CODE
 STEEL FRAMING - TYPICAL
 6 5/8" DRIVEN STEEL PILING - TYPICAL
 SIDING ON 3 1/2" STD WALL FRAMING
 AT STORAGE CLOSET - VERIFY W/ OWNER
 LAKEBED BELOW - TYPICAL

(A) 494.80 ± DOCK LEVEL
 492.80 ± LAKE LEVEL





0 45 90 180 270 300

Emma Long



MEMORANDUM

To: Parks and Recreation Board

From: Warren W. Struss, Director
Parks and Recreation Department

Date: December 19, 2006

Subject: Two-slip boat dock and bulkheading at 4 Humbolt Lane.
Case Number SP-06-0684DS

A request has been received from Jim Bennett on behalf of James T. Vanderslice to construct a two-slip boat dock and bulkheading at 4 Humbolt Lane.

The Parks and Recreation Department staff has reviewed plans for the proposed dock and finds they meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code.

The proposed dock is located on a bluff and extends thirty feet from the existing shoreline. The Parks and Recreation Board shall make a recommendation on the distance that a proposed dock may extend into the lake without constituting a hazard.

A retaining wall, bulkhead, or other erosion protection device must be designed to minimize wave return and reduce wave action. The Parks and Recreation Board shall make a recommendation to the Director on the natural character and design for retaining walls, bulkheading, and other erosion protection devices.

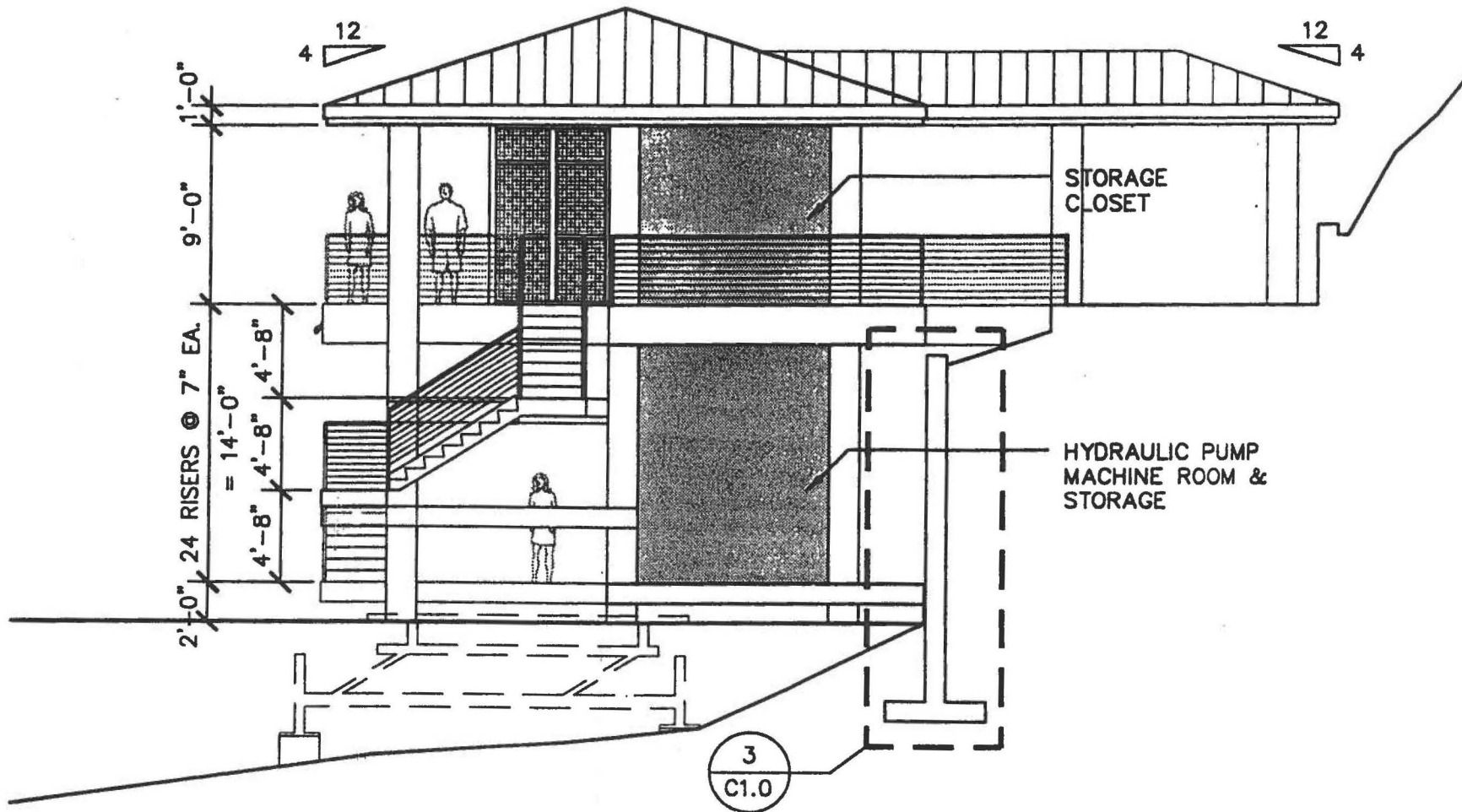
Warren W. Struss, Director
Parks and Recreation Department

3 SEAM
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OD FRAME
GATION
15 WATTS
E NOTE E)

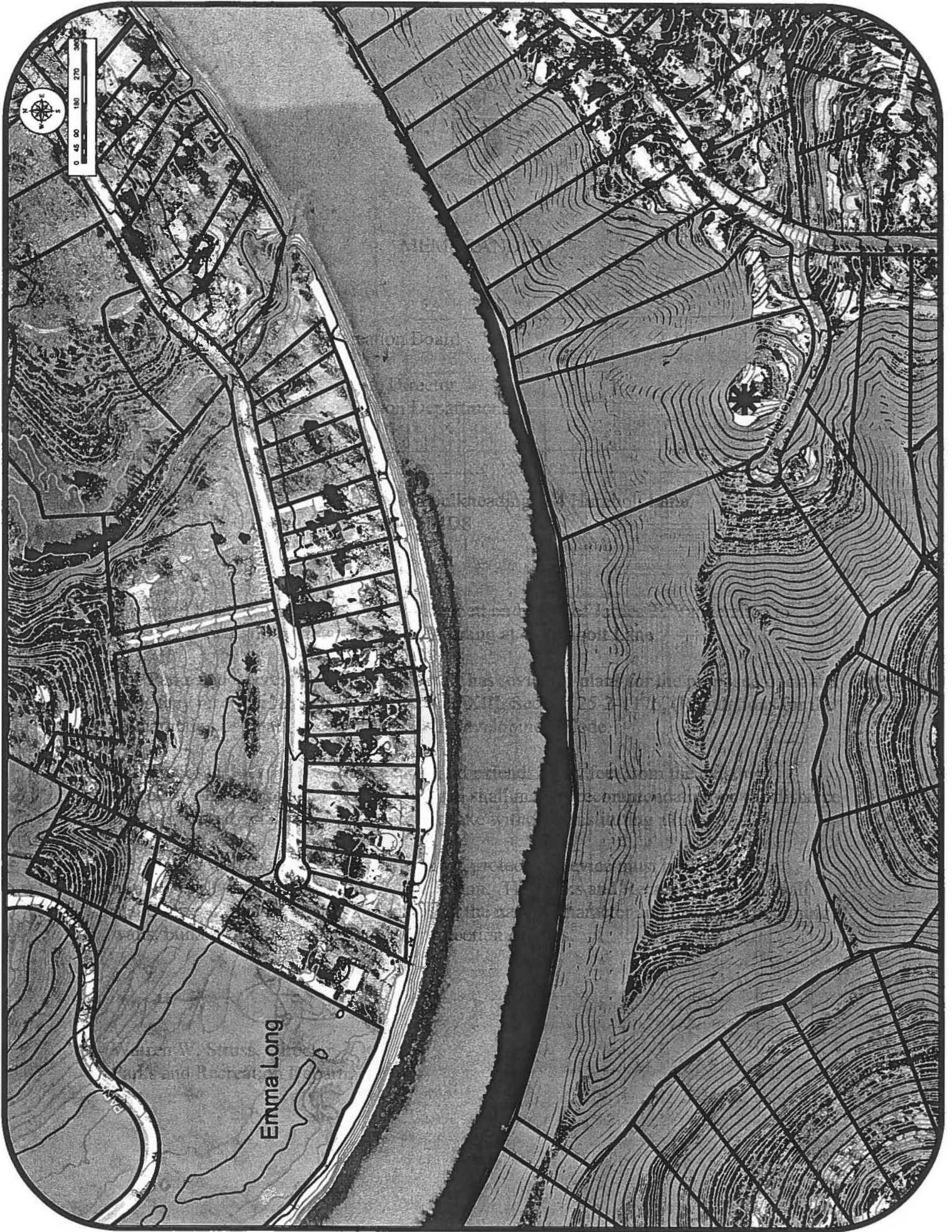
ABOVE
VEL
STEEL
AIL
TAIR AND
R-TREADS
CH DECKING

BOVE
VEL (494.8')

LIC
FT



2 SIDE(WEST) ELEVATION
SCALE: 1/8"=1'-0"



Emma Long

December 8, 2006

Randal Scott, Senior Planner
Austin Parks and Recreation Dept.
Planning Design & Construction
200 S. Lamar Blvd
Austin, TX 78704

L+F 1/9/07 Planning Comm 1/16
(Feb) Mitigation?
Town Lake Waterfront Overlay (wo)
North Shore Central requires 60' setback
from Shoal Creek center line

Re: Austin Music Hall Variances
Case No. SP-06-0502C
Longaro & Clarke, L.P. Project No. 291-01

Dear Mr. Scott:

The Austin Music Hall (AMH), located at 208 Nueces Street, is currently processing a site development permit to expand and update its facilities. The building backs up to Shoal Creek and lies in the Downtown Creeks Overlay District and the West Area of the North Shore Central Sub-district of the Waterfront Overlay District. A portion of the building currently lies in the primary setback and is 36.75 ft from the centerline of the Shoal Creek. The proposed improvements will place a portion of the egress stairs 31.75 ft from the centerline of the creek. This is an increase of the encroachment by 5 ft. As such, AMH is requesting a primary setback variance from Section 25-2-748, in order to construct the emergency egress, and slightly extend the back of the building.

The building currently sits on pier and overhangs the high bank of the creek. Under proposed conditions the building will also sit on piers and overhang the high bank, only slightly more. Please see attached Exhibit A. Also attached are photographs of the current condition of the creek behind AMH and architectural renderings of the proposed improvements.

Thank you for your consideration of this matter and please call with any questions.

Very Truly Yours,
LONGARO & CLARKE, L.P.

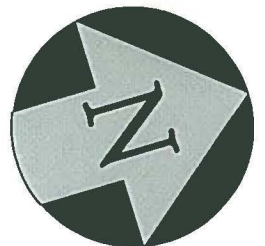

James R. McCann, P.E.

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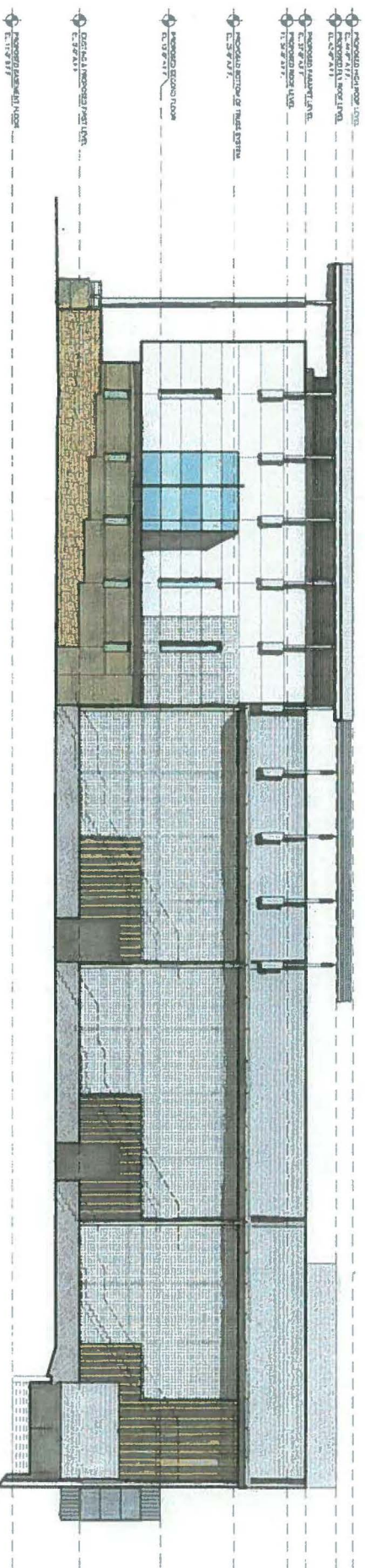
EC LONGARO & CLARKE
Consulting Engineers

Land Development • Stormwater Management • Water Resources
7501 North Capital of Texas Highway • Building A • Suite 250 Austin, Texas 78731
(512) 306-0228 ~ www.LongaroClarke.com ~ (512) 306-0338 fax

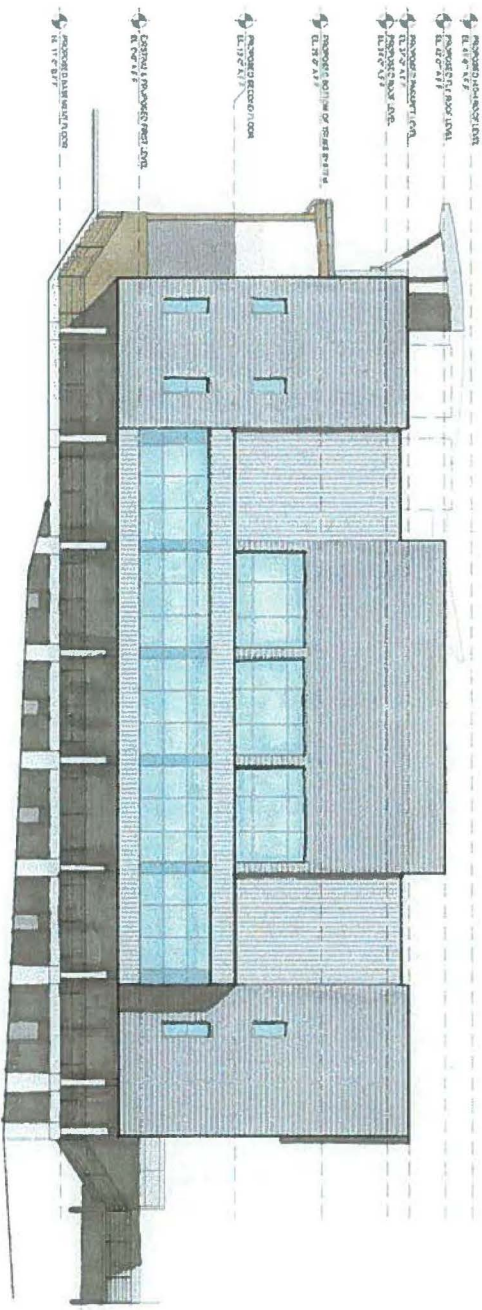




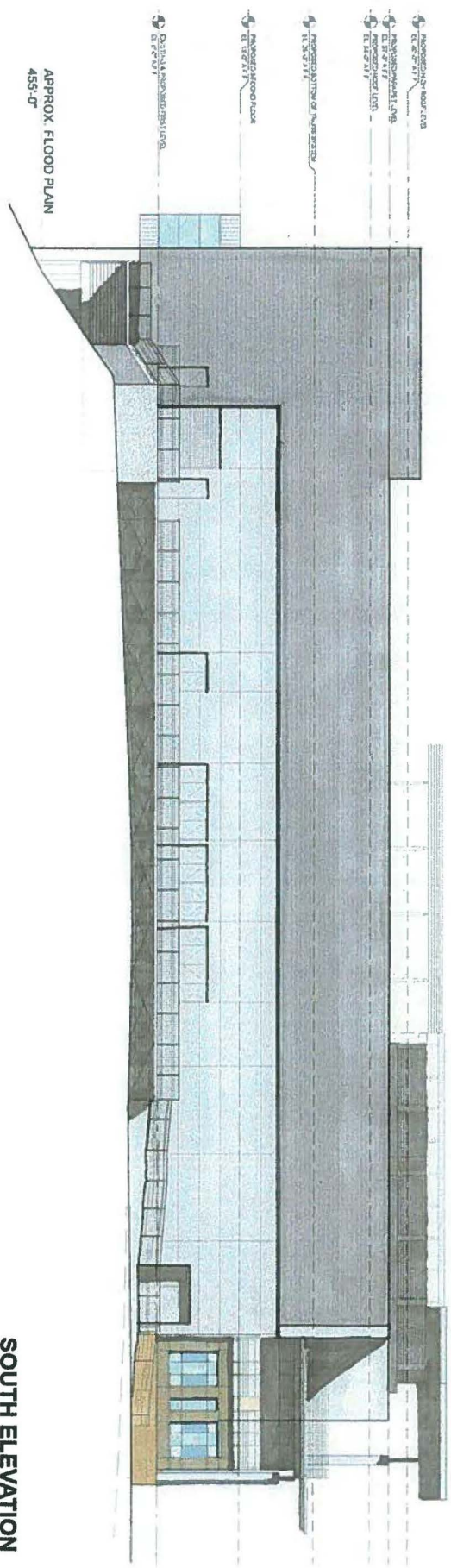
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

APPROX. FLOOD PLAN
455'-0"

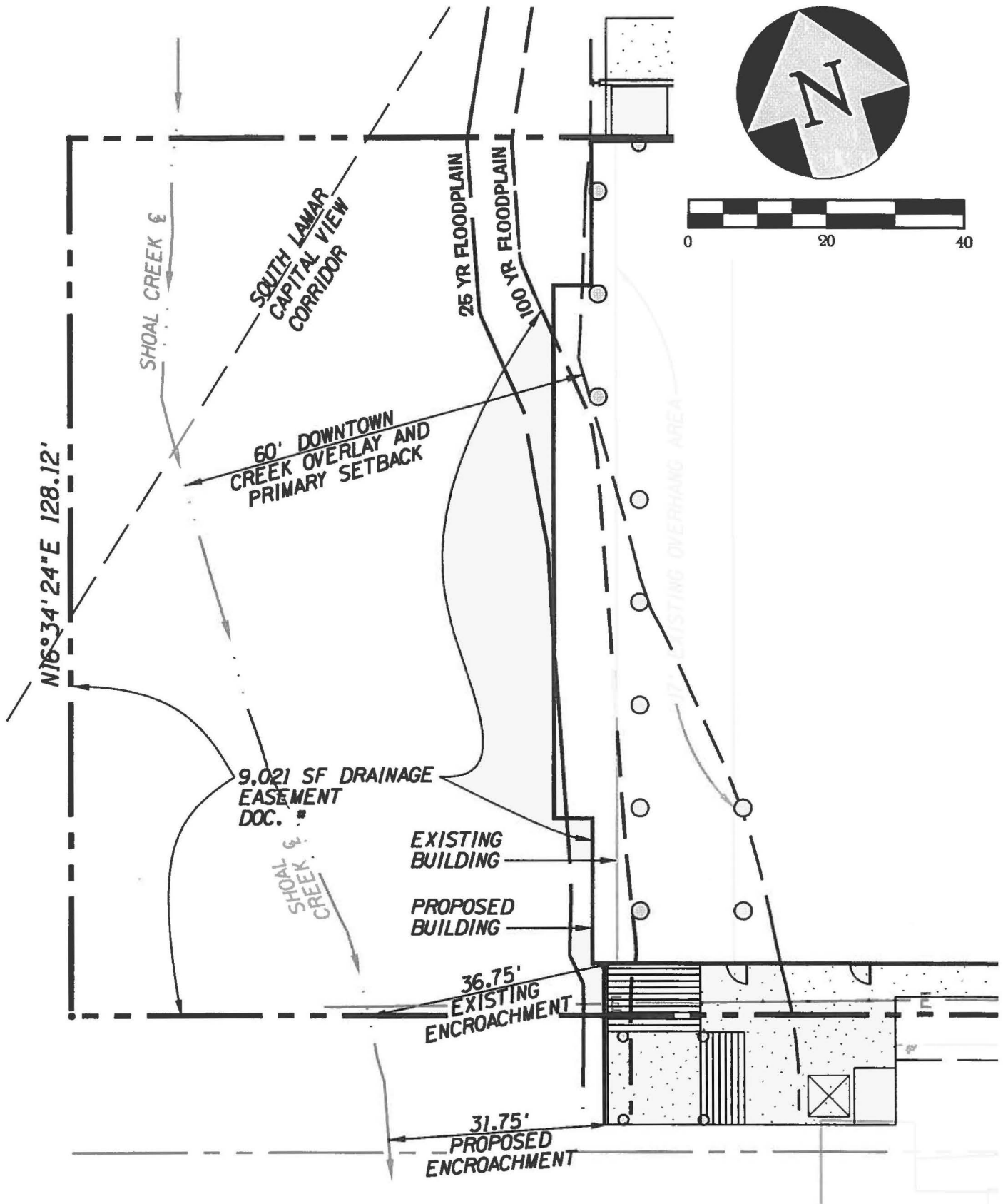












LC LONGARO & CLARKE
Consulting Engineers

Land Development • Stormwater Management • Water Resources

7501 North Capital of Texas Highway • Building A • Suite 250 Austin, Texas 78731

(512) 306-0228 ~ www.LongaroClarke.com ~ (512) 306-0338 fax

EXHIBIT A



C FAULKNER ENGINEERING

907 West 5th Street, Suite 250
Austin, Texas 78703

PO Box 1528
Austin, Texas 78767-1528

P: 512.495.9470

F: 512.495.9473

December 14, 2006

Mr. Warren Struss
Director of Parks and Recreation Department
City of Austin
200 South Lamar Boulevard
Austin, Texas 78704

**Star Riverside Site Plan Application
Variance Support Request**

Dear Mr. Struss:

On behalf of Constellation Property Group (Riverside) LP, C Faulkner Engineering hereby requests the Parks and Recreation Board support a variance request for the construction of an extension to the Town Lake Hike and Bike Trail system in the Critical Water Quality Zone (CWQZ) along Town Lake for the Star Riverside project. *w/ esmt.*

Attached for your review is an exhibit that shows the location of the proposed trail improvements on the site. The proposed trail will connect to the existing sidewalk along East Riverside Drive at the existing accessible ramp and will run along the west side of the proposed development. The trail is divided into two different experiences. The trail along Town Lake will be composed of crushed granite gravel and will be twelve (12) feet wide. The trail along the western side of the development will be an eight (8) foot wide concrete trail that will meander down to the gravel trail.

Below is a summary describing the proposed development and information related to this variance request.

- **Project Goals:** The goals of this project include providing a unique living experience with individually owned residential condominiums. Benefits to the residents of this development will include having downtown and Town Lake within close proximity, benefits to the neighborhood will be the beautification of the site and the relocation of the parking to an underground structure, and a benefit to the entire City is the first expansion of the Hike and Bike Trail system along Town Lake southeast of the IH-35 corridor.
- **Project Description:** Star Riverside is a proposed residential condominium development with limited commercial use. A homeowners association will manage the property once development is completed. The property is a 4.023-acre tract located at the northeast corner of the intersection of East Riverside Drive and Interstate Highway 35.
- **Number of Units:** There are 251 proposed residential condominiums. There will also be a small commercial component in Building D that will most likely be a coffee and pastry shop.
- **Building Height:** The height of Building C, located at the southwest corner of the site, is proposed to be 110 feet, eleven floors. Buildings A and B, on the north side of the property will be 60 feet, and Building D will be 90 feet.

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- **Site Access (Vehicle):** All vehicle traffic to and from the proposed development will be from the garage entrance on Manlove Street. The residents will each have an assigned parking space in the underground garage. Residents will access the garage from their residence via the elevator (or stairs) in their building. There will be no vehicle access to the site at grade in any location other than the emergency vehicle access from East Riverside Drive. This driveway will have knock away bollards and signage to indicate emergency access only.
- **Site Access (Pedestrian):** Pedestrian traffic can enter the site from the Trail on the west side of the property. On the east side of the property there are steps and an accessible route to the commercial portion of the development as well as the main lobby for the condominiums. Pedestrians can proceed past the site on the sidewalk along Riverside, which is being reconstructed to be a 10' wide sidewalk per conditions of the zoning case approval.
- **Parks and Recreation Department Easement:** Constellation Property Group (Riverside) LP will dedicate an easement to the Parks and Recreation Department for the purpose of public access and right to maintain/reconstruct the trail within the limits of this site. The proposed limits of this easement are shown on the attached exhibit as a dashed line. The easement will be approximately 30 feet from the north property boundary, along Town Lake, and will vary in width along the section of the trail that connects to the IH 35/East Riverside sidewalks. The minimum width of this portion of the easement will be fifteen (15) feet.
- **Trail Impervious Cover:** The proposed concrete trail within the Waterfront Overlay 100' setback is 4,032 square feet or 7.2% of the setback area. The crushed granite portion of the trail, to be constructed adjacent to Town Lake is 6,722 square feet.
- **Trail Maintenance:** Constellation Property Group and their successors will assume responsibility for the daily maintenance of the trail system across the site, such as trash pickup and landscaping. The City of Austin Parks Department will be responsible for any major maintenance and/or reconstruction of the trail, including the retaining walls.
- **Trail Construction Schedule:** The portion of the trail along Town Lake will be completed in the first phase of construction and the trail along the west side of the site will be completed in the second phase. The project is proposed to be completed in three phases. The site plan application is currently under review by the City of Austin, construction of the trail will not commence until a site development permit is issued for the site. *concrete*
- **Star Riverside Site Conditions:** The entire site is located within the Waterfront Overlay Combining District – East Riverside Sub-district. There is a 100' primary setback related to the Waterfront Overlay and Critical Water Quality Zones associated with Town Lake and Harper's Branch Creek., both Urban Watersheds located on the north and west sides of the site.
- **Requested Variance:** Constellation Property Group (Riverside) LP is requesting a variance to Section 25-8-261 of the City of Austin Land Development Code to allow for construction of the Town Lake Trail, as well as water quality and structural drainage improvements within the CWQZ. *is w.o. overlay*
- **Waterfront Overlay Compliance:** The proposed improvements adhere to the requirements of the City of Austin Land Development Code relating to 100' primary setback of the Waterfront Overlay.

CWQZ



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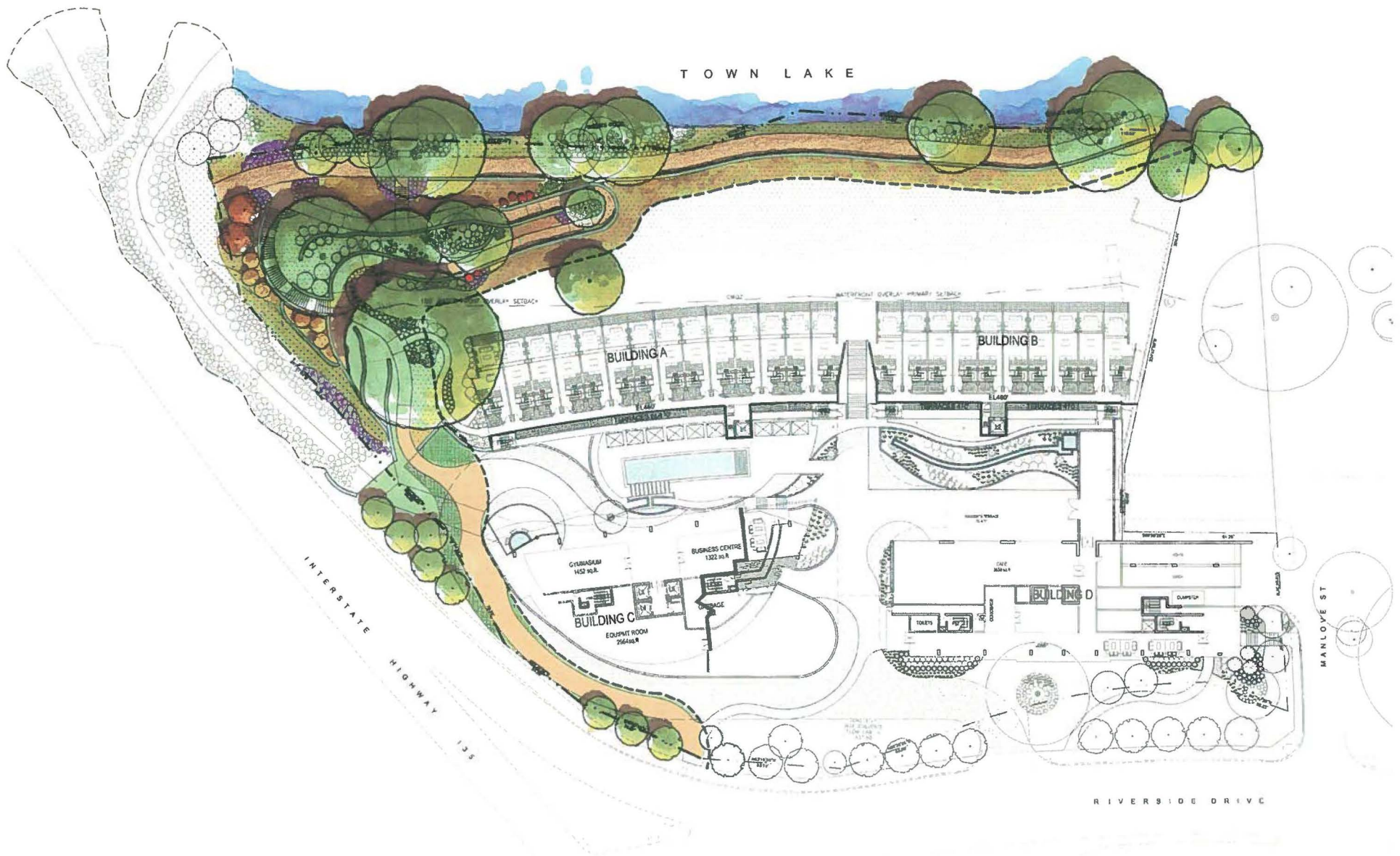
We greatly appreciate your review and positive recommendation to the Planning Commission for the proposed improvements within the Water Quality Transition Zone of this site. If you should have further questions or require additional information, please contact me at 512-674-9426 or Stephanie Stanford at 512-674-9413.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hank Smith', written over a light blue rectangular background.

Hank Smith, P.E.

Attachments: Town Lake Trail Expansion Exhibit



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TOWN LAKE TRAIL EXPANSION

STAR RIVERSIDE
AUSTIN, TEXAS

Scale: 1" = 80'

Date: December 14, 2006

SHEET FILE: T13206_AustinStarRiversideExpansion_061214.dwg
Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

